

REQUEST FOR COUNCIL ACTION

SUBJECT: CITY FACILITY USE ORDINANCES AND POLICIES

SUMMARY: Final proposed policies related to the public's use of City buildings and parks.

FISCAL:

IMPACT: None.

STAFF RECOMMENDATION:

Staff recommends approval.

MOTION RECOMMENDED:

"I move to approve Ordinance No. ~~15-04~~ amending Title 3 and Title 8 of the West Jordan City Code and to approve the West Jordan Facility Use Policy as presented."

Prepared by:



Julie Brown
Events Coordinator

Reviewed by:



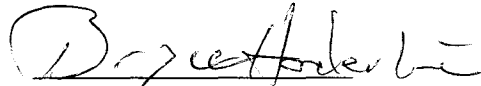
Brian Clegg
Parks Director

Reviewed by:



Darien Alcorn
Deputy City Attorney

Recommended by:



Bryce Haderlie
Interim City Manager

BACKGROUND DISCUSSION:

This is a follow up for approval to the presentation/review of the policy changes at City Council on December 17, 2014. Also included with this report is the requested red line document.

The Events Coordinator, Parks Department and Legal Department have worked over the last year or more on addressing issues raised by various groups, such as athletic leagues, related to use of City park facilities. Primarily, the questions were related to the reservation process, the type and extent of use that would be allowed and the time of year that certain facilities would be available. City staff met with league representatives to review the City Code and the West Jordan Facility Use Policy and have incorporated their suggestions to address concerns. Complete drafts of the proposals are included with this request for council action. To clarify some of the specific revisions and the reasons behind them, some items are summarized below. It may be noted that while fees have also been raised as a concern, the fees are adopted by City Council as part of the annual fee schedule and the amounts are not addressed in the City Code sections or the Facility Use Policy being presented and reviewed.

Proposed Text Amendments

During this process, it was also noted by staff that the existing Facility Use Policy contained some information and requirements that would be more appropriately addressed in the City Code, specifically Title 3, Chapter 5 "Rental of City Building Facilities" and Title 8, Chapter 13 "Parks and Recreation." Along with some clarifications to the existing City Code provisions, the attached Ordinance addresses the following :

1. A list of available rooms and buildings is proposed in section 3-5-1 to clarify building facilities that are available for reservation by the public.
2. Section 3-5-2 was added to cover reservations, state that the reservations are permitted and specify cancellation requirements. This section also gives the time limits for scheduling a reservation (no less than two weeks and no more than 11 months prior to the use).
3. Fees are still as set forth in the fee schedule that is adopted by the City Council each year, but clarifying language was also included in section 3-5-3 to describe the requirement for deposits to be paid to the City to cover any repairs or cleaning that the City performs after the use.
4. Requirements of Title 3, Chapter 5 regarding smoking, alcoholic beverages, City Manager authority and conditions for denial remain the same except that holding an activity on a Sunday is no longer a reason for denial (as Pioneer Hall is now rented by the City and is available for Sunday rentals with a higher rental fee), and staff is proposing to add as a reason for denial any withholding of a deposit for a past reservation within the previous 3 years.
5. Section 8-13-1 has been updated to include all of the City's current park facilities and to reclassify the Arena as a City recreational facility, not a park. A definitions section has also been added to clarify some of the terms that are used by City staff related to City

facilities and reservation of City facilities.

6. The hours of operation in section 8-13-2 have been updated to: (a) use specific and more clearly understood times; (b) clarify that City parks are seasonal and have no snow removal, less trash removal and no restrooms during certain months; (c) clarify the reservation procedures, especially for leagues for which City Council has directed staff to define the time periods during which tournament reservations and league play reservations can be submitted; (d) state the cancellation policy for reservations, including that seasonal reservations and tournaments will not receive a refund (this is due to the advance priority these reservations receive that would prevent other users from reserving the facility).

7. The fees for park reservations are still as adopted by the City Council in the fee resolution, but as with building reservations, the use of deposits is clarified in section 8-13-15.

8. The list of prohibited activities in section 8-13-6 has been updated to include additional needed prohibitions, clarify certain requirements and reformat.

9. Regulations related to smoking, and the City Manager's authority are the same.

Proposed Facility Use Policy

City staff met with the leagues that use City athletic fields and concession stands for baseball, football and soccer. Baseball is held at the Veterans Memorial Park and the Ron Wood Baseball Complex, football is held at Constitution Park, and soccer is held at the Utah Youth Sports Complex. City staff has sought direction from City Council and the City Manager and it was determined that the following should be addressed:

- (1) Clarify what constitutes a youth league;
- (2) Have a time to apply that is earliest for the highest priority use (tournaments), later for the second priority use (league seasonal use) and later for lower priority use, etc.; and
- (3) Allow the City Manager discretion to require a lease if needed for use of concession stands.

Although some provisions of the Facility Use Policy were moved to the City Code sections discussed above, some of the concerns were addressed in the proposed Facility Use Policy as follows:

1. "Reservation Priorities for City Facilities" are addressed on page 11 (section IV.E.). They are first requested, first assigned. However, for simultaneous requests that will occur during the same application period (i.e. tournaments, seasonal league reservations), they are as follows: (a) City Events; (b) City-Sponsored Events; (c) Special Events; (d) league over non-organized ad hoc group; (e) youth over adult; (f) group without policy violations in the last three years; (g) leagues are scheduled in the order of percentage of West Jordan residents (highest to lowest); (h) historical use; (i) after consideration of all other factors, the date and time of the submitted application will be the tie-breaker if needed (not likely). As stated in the proposed Facility Use Policy, some of these priorities apply only to athletic fields and would not be used for a building, pavilion or other park reservation.

2. "Consideration of Application" (section IV.C.1.g) allows for tournaments to be

scheduled with a minimum of one week between each.

3. Concession stands are addressed in section IX of the proposed Facility Use Policy beginning on page 16. The prior policy linked use of concession stands to use of the adjacent athletic fields. As there did not appear to be a City need to include this restriction, it has been removed. However, a person or entity reserving the athletic field would have priority if the concession stand request were submitted concurrently. While concession stands are available for seasonal rental, it has been clarified that temporary snack bars must be on a case-by-case basis. This is due to Salt Lake County Health regulations. The proposed policy clarifies that applications for concession stands and temporary snack bars may be received no less than two weeks and no more than 11 months in advance and that a seasonal permit may be available or a lease may be required at the discretion of the City Manager. Storage in concession stands is allowed between uses, at the risk of the user, but must be removed prior to reservation dates and times of other users, two days after the last reservation of the season and at the request of the City.

4. Other policies regarding fees and deposits, park closures, ability to exclude others from reserved areas, inflatable toys, denial of permits, maintenance, use of outside equipment or maintenance by others, lost/stolen/damaged property, grilling, fees and deposits, service in lieu of fees, inspections by users, compliance with laws, keys and combinations for locks, insurance and special event permits have not changed except for reformatting and other minor revisions to improve readability.

THE CITY OF WEST JORDAN, UTAH

A Municipal Corporation

ORDINANCE NO. 15-04 [FACILITY USE]

AN ORDINANCE AMENDING TITLE 3, "REVENUE, FINANCE AND TAXATION" AND TITLE 8, "PUBLIC WORKS, PUBLIC WAYS AND PROPERTY."

WHEREAS, the City of West Jordan adopted a City Code in 2009, for the purpose of carrying into effect and discharging all powers and duties conferred by law upon the city and its officers, employees and inhabitants, and to provide for the safety, preserve the health, promote the prosperity, improve the morals, peace, good order, comfort and convenience of the city and its inhabitants, and to protect property in the city; and

WHEREAS, the West Jordan City Council finds and determines that the purpose of the 2009 City Code, and the public health and welfare, will best be reached by the adoption of the following amendments to Title 3, Chapter 5 and Title 8, Chapter 13 of the 2009 City Code.

NOW THEREFORE, IT IS ORDAINED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH:

Section 1. Title 3, Chapter 5, Sections 1 through 5 of the 2009 City Code shall hereafter read as follows:

Chapter 5

RENTAL OF CITY BUILDING FACILITIES

3-5-1: DESIGNATION OF CITY BUILDING FACILITIES AVAILABLE FOR RESERVATION:

3-5-2: RESERVATIONS FOR USE:

3-5-3: FEES:

3-5-4: REGULATIONS:

3-5-5: CONDITIONS FOR DENIAL:

3-5-1: DESIGNATION OF CITY BUILDING FACILITIES AVAILABLE FOR RESERVATION:

For purposes of this chapter, the following are city building facilities that may be subject to reservation:

Name	Location	Capacity
City Hall:	8000 South Redwood Road	
Community Room	1 st Floor	102
Council Chambers	3 rd Floor	126
Observatory	4 th Floor	15
Room 331	3 rd Floor	13
Schorr Gallery	3 rd Floor	19
Justice Center: Community Room	8040 South Redwood Road	164
Pioneer Hall	1137 West 7800 South	118

(Ord. 15-___, 01-28-2015)

3-5-2: RESERVATIONS FOR USE:

- A. Permitted: The building facilities specifically identified in this chapter may be reserved in accordance with this chapter and applicable city rules, policies and processes. Except at Pioneer Hall, parking lots may not be reserved. Limited space within an adjacent parking lot may be reserved if expressly specified in a reservation or permit approved or issued by the city manager or designee in accordance with city code and applicable city rules, policies and processes.
- B. Reservation Procedure:
1. General: The city manager or designee will receive, and approve or deny, reservation requests. Reservation requests must be received at least two (2) weeks but no more than eleven (11) months prior to the time and date of the reservation. The city manager may, but is not required to, consider late reservations.
 2. Other City Property: City buildings or building space not specifically listed in section 3-5-1 are not available for reservation.
 3. Special Events: Special events must be scheduled through the special event permit rules, policies and process prescribed and adopted by the city manager.
 4. Multi-Day Reservations: Multi-Day reservations may be requested but will require personal items and property to be removed each day for at least three (3) hours.

5. Cancellation of Reservations: Reservations may be cancelled at any time up to twenty-four (24) hours before the reserved date and time. Reservation fees will be refunded at the following rates: (a) 100% refund for a cancellation that is received by the city manager or designee in writing at least ninety (90) days before the reserved date and time; (b) 50% refund for a cancellation that is received by the city manager or designee in writing between eighty nine (89) days and thirty (30) days before the reserved date and time; (c) 25% refund for a cancellation that is received by the city manager or designee in writing less than thirty (30) days and more than twenty-four (24) hours before the reserved date and time. Reservations will not be canceled and a refund will not be available if the cancellation is not received in writing more than twenty-four (24) hours before the reserved date and time. Fees other than reservation fees are non-refundable unless otherwise expressly stated.

- C. Rules, Policies and Processes: The city manager or designee is authorized to prescribe and adopt rules, policies and processes for the effective implementation of this section, provided such rules, policies and processes are not inconsistent with the provisions of this section. (Ord. 15-___, 01-28-2015)

3-5-3: FEES:

- A. Rental Fees: The fees for city building facility use shall be set forth in a fee schedule, which shall be on file in the office of the city clerk-recorder, with a copy to be maintained and made available to the public in the office of the finance department. The fees and schedule shall be established by resolution of the city council following a public hearing, and may be amended from time to time as necessary.
- B. Deposits: In accordance with adopted regulations, policies and practices adopted by the city manager, the city manager will collect from each individual or organization a cleanup fee in an amount set forth by resolution in a fee schedule. The city manager shall return the entirety of the cleanup fee to the individual or organization that furnished the fee unless, in the reasonable opinion of the city manager, the individual or organization failed to keep the city building facility clean and free from damage. If the individual or organization so failed, the city manager will retain an appropriate amount of the cleanup fee to reimburse the city for its expenses of cleanup and repairs. If the cleanup fee is insufficient, the city manager may provide an invoice to the individual or organization, which shall pay the invoice within thirty (30) days after receipt. The city manager's decision not to refund the cleanup fee or to refund only a portion of the cleanup fee may be appealed to the city council, whose decision shall be final. (Ord. 15-___, 01-28-2015)

3-5-4: REGULATIONS:

- A. Alcoholic Beverages; Smoking: No alcoholic beverages may be possessed or consumed within the city building facilities, except for private functions as approved by the city council. In accordance with the Utah clean indoor air act, Utah Code Annotated section 26-38-1 et seq., smoking is prohibited within all areas of city building facilities.

B. Authority Of City Manager: The city manager may adopt and enforce appropriate regulations, forms, policies and practices, not inconsistent with the provisions of this chapter, pertaining to:

1. The rental and usage of city building facilities, except that the rental fees will be as adopted by the city council;
2. When the payment of a security or cleanup deposit is required, except that the amount of the deposit will be as adopted by the city council;
3. The conditions upon which the security or cleanup deposit (or a portion) will be returned;
4. The procedures for reservations of the facility;
5. Whether and under what conditions refreshments may be served and consumed; and
6. Other reasonable issues pertaining to the use of the public resource. (2001 Code § 2-9-101; §3-5-2 amd. Ord. 15-____, 01-28-2015)

3-5-5: CONDITIONS FOR DENIAL:

Notwithstanding any provision of this section to the contrary, the city manager will not be required to allow reservation of city building facilities to any person, group or organization, when:

- A. In the reasonable opinion of the city manager or designee, such person, group or organization would damage or misuse city property;
- B. In the reasonable opinion of the city manager or designee, the proposed usage of the facilities would be disruptive of or burdensome upon ongoing city activities;
- C. The proposed activity will recur at a frequency such that the organization holding the activity is similar to other organizations that own or rent other facilities within the community, and the rental of the city building facility is for the economic advantage of the organization;
- D. The use of the facility by the organization will not further a public, civic or community wide purpose; or
- E. Within the previous three years, the person or entity requesting or using the reservation had a portion or all of a deposit withheld for a past reservation or permit for use of any city building, park or recreational facility; or
- F. The proposed activity will require the unreasonable relocation or repositioning of the fixtures, furniture or other elements of the building facility. (2001 Code § 2-9-101; §3-5-3 amd. Ord. 15-____, 01-28-2015)

Section 2. Title 8, Chapter 13, Sections 1 through 8 of the 2009 City Code shall hereafter read as follows:

Chapter 13

PARKS AND RECREATION

8-13-1: DESIGNATION OF PARKS AND OTHER RECREATIONAL FACILITIES:

8-13-2: HOURS OF OPERATION AND SEASON:

8-13-3: RESERVATIONS FOR USE:

8-13-4: BANNERS AND SIGNS:

8-13-5: FEES:

8-13-6: PROHIBITED ACTIVITIES IN CITY PARKS AND RECREATIONAL FACILITIES:

8-13-7: ADMINISTRATIVE REGULATIONS:

8-13-8: SMOKING PROHIBITED IN CERTAIN AREAS OF PUBLIC PARKS:

8-13-1: DESIGNATION OF PARKS AND OTHER RECREATIONAL FACILITIES:

A. Name And Location of City Parks: For purposes of this chapter, the following are city parks:

Bateman Pond	7140 South 1100 West
Beargrass Park	5113 West Crus Corvi Road
Bicentennial Park	1900 West 7000 South
Brigadoon Park	9331 South Mac Duff (1450 West)
Brown's Meadow Park	2490 West 9160 South
Camelot Park	1975 West 7225 South
Colonial Estates Park	2000 West 6888 South
Constitution Park	3330 West 7010 South
Country Squire Park	3756 West Saddler Drive (8550 South)
Crus Corvi Park	5294 West Crus Corvi Road
Dixie Valley Park	3620 West 6449 South
Dora Lee Park	4480 West Bingham View Drive (8583 South)
Eagle Park	5200 West 7530 South

Facet Way Park	8140 South 5300 West
Grizzly Park	7400 South Grizzly Way
Handcart Park	2868 West 6620 South
Harvest Estates Park	2304 West 6855 South
Jordan Meadow Park	2200 West 7550 South
Lindsey Park (Henderson)	3850 West 8015 South
Lobelia Park	6466 South Lobelia Drive (5030 West)
Maples Park #1	7800 South 6650 West
Maples Park #2	7498 South Valley Maple Drive (6730 West)
McHeather Park	1440 West 6935 South
Meadow Green Farms Park	3000 West 8400 South
Noble Heights Park	3774 West 7910 South
Oaks Park East	8200 South Fall Oak Drive (6180 West)
Oaks West Park	8200 South 6700 West
Park Village Park	4800 West 7030 South
Plum Creek Park	8300 South Stratford Lane (1470 West)
Pocket Park	2200 West 7800 South
Railroad Park	4600 West New Bingham Highway
Ranches Park #1 / Commons	5268 West Ranches Park Lane (7350 South)
Ranches Park #2	5180 West Swiftwater Way (7910 South)
Ron Wood Memorial Park	6000 West New Bingham Highway
Ron Wood Park Phase II	6000 West New Bingham Highway
Senior Housing Park	2200 West Sugar Factory Road (8200 South)
Shadow Mountain Park	5065 West 7400 South
Siena Vista	5600 West 7000 South
Utah Youth Sports Complex	4000 West 7900 South
Stone Creek Park	4860 West Amethyst Drive (8030 South)
Stone Creek Park Phase II	5196 West Amethyst Drive (8030 South)

Sunset Cove Park	4810 West New Bingham Highway
Sycamore Ridge Park	7398 West New Sycamore Drive
Sycamore Trail Park	7208 West New Sycamore Drive
Teton Estates Park	9339 South Targee Drive (4160 West)
Veterans Memorial Park	1985 West 7800 South
Vista West Park	9098 South Winthrop Drive (3695 West)
West Jordan Meadows A Park	7530 South Bridle Creek Drive (5200 West)
West Jordan Meadows B Park	5360 West 7530 South
Wildflower Detention Park	9200 South 5200 West

- B. Name and Location of Other Recreational Facilities: For purposes of this chapter, the following are city recreational facilities:

Arena	8035 South 2200 West
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- C. Definitions: The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

APPLICANT: The person or entity that applies for a reservation or permit to reserve a city park or recreational facility.

ARENA: The city's rodeo arena, located at the address stated in this section.

CITY EVENT: an event that:

1. is planned, organized and controlled by: (a) city personnel; (b) city contractors; (c) elected city officials; or (d) city committee members or other volunteers; and
2. is funded pursuant to a budget adopted by the city council; and
3. for purposes of liability, the city has either: (a) determined the event to fall within the purview of city insurance or other similar city coverage; or (b) required another person or entity to indemnify the city; and
4. is not a city sponsored event as defined below.

CITY SPONSORED EVENT: an event where the city's involvement is limited to lending of the city's name or financial or in-kind support.

CITY PARKS: Those facilities identified in this section and their environs, including but not limited to athletic fields, pavilions, picnic areas, concession stands, traveled ways, sidewalks, parking lots, restrooms, and tot lots.

CITY RECREATIONAL FACILITIES: Those facilities identified in this section and their environs, including but not limited to concession stands, traveled ways, sidewalks, parking lots and restrooms.

CONCESSION STAND: A permanent structure, owned by the city, where food and beverages may be sold or served. Concession stands are equipped with hot and cold running water and sinks. There are no grills or vents, except a full kitchen is available at the concession stand located within the arena. Where there is a full kitchen, a fire extinguisher is provided.

SPECIAL EVENT: Any activity for which a city building, park or recreational facility is being reserved, or a permit is being issued, and which meets at least one of the following criteria: (1) 200 or more attendees are expected; (2) additional city services are required; (3) the activity is an athletic tournament; (4) inflatable toys or similar items will be set up; or (5) a fee will be charged for admission or participation.

SPECIAL EVENT PERMIT: A permit issued pursuant to city policy for a special event.

USERS or VISITORS: Any person who is present in a city park or recreational facility, whether by reservation, permit or otherwise.(2001 Code § 58-1-101; amd. Ord. 10-26, 9-8-2010; Ord. 11-29, 9-14-2011; Ord. 15-____, 01-28-2015)

8-13-2: HOURS OF OPERATION AND SEASON:

- A. Open Season: City parks are open to the public starting the first Monday in April and are closed to the public starting the first Sunday in October until the following first Monday in April. City recreational facilities and concession stands are not open to the public and may be occupied and used only by reservation or permit, except that the city may reserve the arena for designated periods of public access.
- B. Open Hours: Except Veterans Memorial Park, city parks are open to the public from 6:00 a.m. to 10:00 p.m. during the open season. The Veterans Memorial Park is open from 6:00 a.m. to 11:00 p.m. during the open season. City parks are closed during all other hours of the day.
- C. Other Park Closures: At the sole discretion of the city, any city park or any area within a city park may be closed during open season or hours for any reason for the convenience of the city or to provide for the public health and safety. Reasons for closures may include, but are not limited to, safety, preservation of landscaping, protection of athletic field conditions, construction or performance of maintenance or repair work.

- D. Public Use Subject to Reservations. When a city park, recreational facility, or any area therein, is reserved, it will not be open to the public during the reserved time. Any person or entity that has reserved a city park, recreational facility, or area therein may exclude the public from the reserved area and may request assistance from the city in doing so. The reserved area will be considered closed to the public during the times expressly specified in a reservation or permit approved or issued by the city manager or designee.
- E. Entry Prohibited; Exceptions: Use, occupancy or entry into city parks, recreational facilities, or any area therein during seasonal, daily or other closures or reservations is prohibited, except by a reservation or permit holder during times expressly specified in the reservation or permit. Use, occupancy or entry into city recreational facilities and concession stands is prohibited, except by reservation or permit approved or issued by the city manager or designee in accordance with city code and applicable city rules, policies and procedures. (2001 Code § 58-1-102; amd. 2009 Code; Ord. 15-___, 01-28-2015)

8-13-3: RESERVATIONS FOR USE:

- A. Permitted: City parks, recreational facilities, concession stands, and areas therein, may be reserved in accordance with this chapter and applicable city rules, policies and procedures. Tot lots, traveled ways, sidewalks and restrooms may not be reserved. Limited space within parking lots may be reserved if expressly specified in a reservation or permit approved or issued by the city manager or designee.
- B. Reservation Procedure:
 - 1. General: The city manager or designee will receive, and approve or deny, reservation requests. Reservation requests must be made and paid at least twenty-four (24) hours prior and weekend reservation must be made and paid in full at least one (1) week prior to the time and date of the reservation but no more than eleven (11) months prior to the time and date of the reservation; except for special events, seasonal reservations and athletic tournaments, as set forth below. The city manager may, but is not required to, consider late reservations.
 - 2. Other City Property: Unless listed in section 8-13-1, City owned properties such as unimproved open space, public streets, sidewalks, plazas and the city cemetery are not city parks. A reservation for use of open space or cemetery may be available through a special event permit. Use of public streets and sidewalks may require an encroachment permit pursuant to city code.
 - 3. Special Events: Special events must be scheduled through the special event permit rules, policies and procedures prescribed and adopted by the city manager.
 - 4. Seasonal Reservations and Athletic Tournaments:
 - a. Seasonal reservations may be requested for athletic fields, concession stands and the arena. Application for seasonal reservations during the current calendar year may be made on or after the first business day in January.

b. Reservations for athletic tournaments may be requested for athletic fields. Application for tournament reservations may be made on or after the first business day in October for the next calendar year.

c. Applications must comply with this chapter and applicable rules, policies and procedures. For seasonal reservations of athletic fields, compliant applications must be received by the city manager or designee no later than 5:00 p.m. on the last business day in February. For athletic tournaments, compliant applications must be received by the city manager or designee no later than 5:00 p.m. on the last business day in November. Late applications may be reviewed by the city manager. Timely applications will be reviewed and, if approved, reservations will be scheduled before late applications may be reviewed or considered. Noncompliant applications will not be approved and, if resubmitted as compliant applications, may be treated as untimely.

d. The various athletic fields will be scheduled according to applicable city rules, policies and procedures, and the applicants will be notified of the schedule not later than the last business day in March.

5. Cancellation of Reservations:

a. Except for seasonal reservations and tournaments, reservations may be cancelled at any time up to twenty-four (24) hours before the reserved date and time. Reservation fees will be refunded at the following rates: (a) 100% refund for a cancellation that is received by the events coordinator in writing at least ninety (90) days before the reserved date and time; (b) 50% refund for a cancellation that is received by the events coordinator in writing between eighty nine (89) days and thirty (30) days before the reserved date and time; (c) 25% refund for a cancellation that is received by the events coordinator in writing less than thirty (30) days and more than twenty-four (24) hours before the reserved date and time. Reservations will not be canceled and a refund will not be available if the cancellation is not received by the city manager or designee in writing more than twenty-four (24) hours before the reserved date and time. Fees other than reservation fees are non-refundable unless otherwise expressly stated.

b. Reservations for seasonal reservations and tournaments will not be canceled and a refund will not be available.

- C. Rules, Policies and Procedures: The city manager or designee is authorized to prescribe and adopt rules, policies and procedures for the effective implementation of this section, provided such rules, policies and procedures are not inconsistent with the provisions of this section. (2001 Code § 58-1-103; amd. Ord. 15-____, 01-28-2015)

8-13-4: BANNERS AND SIGNS:

Notwithstanding the prohibition of city code section 12-3-6, banners and signs may be displayed by a reservation or permit holder in the area, provided that the display is expressly specified in the reservation or permit and all banners and signs comply with other applicable provisions of city code. (Ord. 15-____, 01-28-2015)

8-13-5: FEES:

A. Rental Fees: The fees for city park and recreational facility use shall be set forth in a fee schedule established by resolution of the city council.

B. Deposits: The city manager shall collect from each individual or entity applying for a reservation or permit the deposit set forth in the fee schedule established by resolution of the city council. The city manager will retain an appropriate amount of the deposit for the following: (1) damaged property; (2) clean up; (3) city staff time resulting from the occupancy, including but not limited to overtime fees; (4) costs resulting from modifications to the reservation or permit; (5) applicant's failure to comply with the reservation, permit, city code or any applicable city rules, policies or procedures; or (6) any other costs associated with the occupancy actually incurred by the city but unpaid by the applicant. The city manager's decision to retain all or a portion of the cleanup fee may be appealed to the city council, whose decision shall be final. (2001 Code § 58-1-104; §8-13-4 amd. Ord. 15-~~04~~, 01-28-2015)

8-13-6: PROHIBITED ACTIVITIES IN CITY PARKS AND RECREATIONAL FACILITIES:

A. Advertising. It is unlawful to distribute any handbills or circulars, or to post, place or erect any bills, notices, papers or advertising devices; except that the city manager may authorize advertisements on outfield fences and may authorize the Western Stampede celebration committee to place advertisements on the inside of the rodeo grounds fence. These advertisements, when authorized, will be removed within seven (7) days of the completion of league play or completion of the Independence Day celebration.

B. Alcohol Use. It is unlawful for any person to consume or possess any beer or any alcoholic beverage within any city park or recreational facility, except a special event which is the subject of a single event permit granted under this code.

C. Animals. Except as otherwise permitted by the city code, animals are prohibited in city parks. Animals may be expressly permitted in a city park or recreational facility pursuant to an approved special event permit.

D. Barbecue Grills. Barbecue grills are permitted in city parks, except cooking is prohibited under any pavilion or structure. A fire extinguisher must be kept within five feet of any grill. Digging of barbecue pits is prohibited in city parks and recreational facilities. Users and Visitors shall comply with grilling rules, regulations and policies of the city and all other regulatory agencies.

E. Business Activities; City Manager Approval. Practicing, conducting, or soliciting any occupation, business or profession, or selling any merchandise, is prohibited in city parks and recreational facilities, including but not limited to: yard sales, rummage sales and sidewalk vending. Activities may be permitted in writing by the city manager, or as part of a special event permit issued by the City, or through a concessions permit, or as otherwise allowed by city code.

- F. Camping. It is unlawful to camp or lodge in city parks, recreational facilities, plazas, open space or on any other city property unless expressly permitted in a special event permit.
- G. Destruction of City Landscaping and Property. It is unlawful to cut, break, injure, deface or disturb any trees, shrubs, plants, buildings, monuments, fences, benches, tables or other structures, apparatus, fixtures or property; or pluck, pull up, cut, take or remove any shrub, bush, plant or flower; or mark or write upon any structure or apparatus. It is unlawful to cut, remove, injure or destroy any wood, turf, grass, soil, rock, sand or gravel.
- H. Disturbance. It is unlawful to engage in fighting or riotous, boisterous, threatening or indecent language under circumstances that may result in a breach of the peace.
- I. Dogs.
1. Dogs are prohibited in city parks and recreational facilities unless accompanied by a person. The dog must be licensed and leashed. It is unlawful for any person in control of such dog to fail to retrieve and properly dispose of fecal matter.
 2. A reservation or permit may restrict or prohibit dogs.
- J. Fires. Fires are prohibited on city property, except where designated.
- K. Firearms and Fireworks. Possessing or discharging firearms or any other explosives is prohibited in city parks and recreational facilities, except as allowed by State law.
- L. Fireworks. It is unlawful to discharge any type of fireworks in any city park, except as permitted pursuant to the provisions of this code.
- M. Gambling. Gambling is prohibited in city parks and recreational facilities.
- N. Golf. It is unlawful to play golf or hit golf balls in city parks and recreational facilities or upon city property.
- O. Horses. Horses are prohibited on city property, except that horses are permitted in the arena and the immediately adjacent parking area and while being transported, led or ridden over the paved streets leading to the arena. It is unlawful for any person in control of such horse to fail to retrieve and properly dispose of fecal matter. Horses are prohibited on all grass areas.
- P. Inflatables. Inflatable toys are prohibited in city parks and recreational facilities unless specifically authorized by an approved special event permit. Additional deposits will be required as required by the fee schedule adopted by resolution of the city council.
- Q. Irrigation of Turf. Adjusting or shutting off any irrigation control or valve(s) on city property is prohibited, except by authorized city employees and contractors.

- R. Littering, Dumping Refuse. All litter must be disposed of in designated and marked city receptacles or removed from city parks and recreational facilities. Dumping of refuse on city property or in any city trash receptacle is prohibited except refuse generated from lawful, authorized use of the city property.
- S. Model Planes and Rockets. It is unlawful to operate any gas powered model aircraft, either line or radio controlled, except in the Veterans Memorial Park on the westernmost ball diamonds, and then only when there is no interference, disruption or annoyance to other users of the park.
- T. Noise. All users and visitors shall obey Salt Lake Valley Health Department noise regulations.
- U. Relocating or Removing Structure, Object, Soil. Relocation or removal of structures, objects, soil or other items within city parks and recreational facilities is prohibited without express written approval from the city. This includes, but is not limited to, tables, chairs, trash cans, warning devices, playground equipment and sand.
- V. Swimming. Swimming in fountains or other water features located on city property is prohibited, except water features specifically designated for such use.
- W. Vehicles. No vehicles other than City vehicles are allowed in city parks and recreational facilities except in designated traveled ways and parking lots, unless expressly allowed, in writing, in a special event permit. For the safety of all visitors, drivers are required to obey all posted speed limits and other signs. Vehicles may be permitted in the arena as specifically set forth in a special event permit.
- X. Water. Use of city water is prohibited except for normal use of restrooms, existing drinking fountains, and running water provided for use in conjunction with operation of reserved concession stands. Visitors shall not hook up to irrigation or culinary water in city property. The city may from time to time use non-potable water for irrigation, which water is not intended for human consumption.
- Y. Weapons. Except as expressly allowed under state law, it is unlawful to possess or use a dangerous weapon in a city park. "Dangerous weapon" means: 1) any item capable of causing death or serious bodily injury or 2) a facsimile or representation of the item, if the actor's use or apparent intended use of the item is to assault, inflict pain on or injure another. (2001 Code § 58-1-105; amd. 2009 Code; Ord. 10-15, 6-9-2010; Ord. 10-13, 7-14-2010; §8-13-5 Ord. 15-~~04~~, 01-28-2015)

8-13-7: ADMINISTRATIVE REGULATIONS:

The city manager or his designee is authorized to prescribe and adopt such necessary regulations and forms, consistent with the provision of this chapter, for the proper administration of this chapter. (2001 Code § 58-1-106; §8-13-6 Ord. 15-~~04~~, 01-28-2015)

It is unlawful for any person to smoke while sitting or standing on the bleachers of the rodeo arena in the Veterans Memorial Park, in any other bleachers or publicly owned seating in any other park, or within thirty feet (30') of such bleachers or publicly owned seating. (2001 Code § 58-1-107; amd. 2009 Code; §8-13-7 Ord. 15-04, 01-28-2015)

Section 4. This Ordinance shall become immediately effective.

CITY OF WEST JORDAN

By: _____
KIM V. ROLFE
Mayor

MELANIE S. BRIGGS, MMC
City Clerk

"AYE"

"NAY"

Jeff Haaga
Judy Hansen
Chris McConnehey
Chad Nichols
Ben Southworth
Justin D. Stoker
Mayor Kim V. Rolfe

CITY CLERK/RECORDER'S CERTIFICATE OF PUBLICATION

I, Melanie S. Briggs, certify that I am the City Clerk/Recorder of the City of West Jordan, Utah, and that the foregoing ordinance was published in the Legal Section, of the Salt Lake Tribune, on the _____ day of _____, 2015, pursuant to Utah Code Annotated, 10-3-711.

MELANIE S. BRIGGS, MMC
City Clerk/Recorder
[SEAL]

Legislative

Chapter 5 RENTAL OF CITY HALL BUILDING FACILITIES

3-5-1: DESIGNATION OF CITY BUILDING FACILITIES AVAILABLE FOR RESERVATION:

3-5-2: RESERVATIONS FOR USE:

3-5-3: FEES:

3-5-1: AUTHORIZED:

3-5-23-5-4: REGULATIONS:

3-5-3 3-5-5: CONDITIONS FOR DENIAL:

3-5-4: FEE SCHEDULE REVIEWED, APPROVED:

3-5-1: AUTHORIZED:

Subject to the limitations outlined in section 3-5-3 of this chapter, the city manager may rent the city hall, city council chambers and appurtenant facilities not then being used for the conduct of official city business, to civic groups, other organizations, associations or groups of private individuals, desiring to rent them; however, no rental fee shall be assessed against tax-exempt, charitable or civic organizations utilizing the chambers in the furtherance of an activity beneficial to the community. The decision of the city manager to impose or waive the rental fee may be appealed to the city council. (2001 Code § 2-9-101)

3-5-1: DESIGNATION OF CITY BUILDING FACILITIES AVAILABLE FOR RESERVATION:

For purposes of this chapter, the following are city building facilities that may be subject to reservation:

<u>Name</u>	<u>Location</u>	<u>Capacity</u>
<u>City Hall:</u>	<u>8000 South Redwood Road</u>	
<u>Community Room</u>	<u>1st Floor</u>	<u>102</u>
<u>Council Chambers</u>	<u>3rd Floor</u>	<u>126</u>
<u>Observatory</u>	<u>4th Floor</u>	<u>15</u>
<u>Room 331</u>	<u>3rd Floor</u>	<u>13</u>
<u>Schorr Gallery</u>	<u>3rd Floor</u>	<u>19</u>

Justice Center: Community Room

8040 South Redwood Road

164

Pioneer Hall

1137 West 7800 South

118

(Ord. 15-___, 01-28-2015)

3-5-2: RESERVATIONS FOR USE:

A. Permitted: The building facilities specifically identified in this chapter may be reserved in accordance with this chapter and applicable city rules, policies and processes. Except at Pioneer Hall, parking lots may not be reserved. Limited space within an adjacent parking lot may be reserved if expressly specified in a reservation or permit approved or issued by the city manager or designee in accordance with city code and applicable city rules, policies and processes.

B. Reservation Procedure:

1. General: The city manager or designee will receive, and approve or deny, reservation requests. Reservation requests must be received at least two (2) weeks but no more than eleven (11) months prior to the time and date of the reservation. The city manager may, but is not required to, consider late reservations.

2. Other City Property: City buildings or building space not specifically listed in section 3-5-1 are not available for reservation.

3. Special Events: Special events must be scheduled through the special event permit rules, policies and process prescribed and adopted by the city manager.

4. Multi-Day Reservations: Multi-Day reservations may be requested but will require personal items and property to be removed each day for at least three (3) hours.

5. Cancellation of Reservations: Reservations may be cancelled at any time up to twenty-four (24) hours before the reserved date and time. Reservation fees will be refunded at the following rates: (a) 100% refund for a cancellation that is received by the city manager or designee in writing at least ninety (90) days before the reserved date and time; (b) 50% refund for a cancellation that is received by the city manager or designee in writing between eighty nine (89) days and thirty (30) days before the reserved date and time; (c) 25% refund for a cancellation that is received by the city manager or designee in writing less than thirty (30) days and more than twenty-four (24) hours before the reserved date and time. Reservations will not be canceled and a refund will not be available if the cancellation is not received in writing more than twenty-four (24) hours before the reserved date and time. Fees other than reservation fees are non-refundable unless otherwise expressly stated.

C. Rules, Policies and Processes: The city manager or designee is authorized to prescribe and adopt rules, policies and processes for the effective implementation of this section, provided such rules, policies and processes are not inconsistent with the provisions of this section. (Ord. 15-___, 01-28-2015)

3-5-3: FEES:

- A. Rental Fees: The fees for city building facility use shall be set forth in a fee schedule, which shall be on file in the office of the city clerk-recorder, with a copy to be maintained and made available to the public in the office of the finance department. The fees and schedule shall be established by resolution of the city council following a public hearing, and may be amended from time to time as necessary.
- B. Deposits: In accordance with adopted regulations, policies and practices adopted by the city manager, the city manager will collect from each individual or organization a cleanup fee in an amount set forth by resolution in a fee schedule. The city manager shall return the entirety of the cleanup fee to the individual or organization that furnished the fee unless, in the reasonable opinion of the city manager, the individual or organization failed to keep the city building facility clean and free from damage. If the individual or organization so failed, the city manager will retain an appropriate amount of the cleanup fee to reimburse the city for its expenses of cleanup and repairs. If the cleanup fee is insufficient, the city manager may provide an invoice to the individual or organization, which shall pay the invoice within thirty (30) days after receipt. The city manager's decision not to refund the cleanup fee or to refund only a portion of the cleanup fee may be appealed to the city council, whose decision shall be final. (Ord. 15-___, 01-28-2015)

3-5-2 3-5-4: REGULATIONS:

- A. Alcoholic Beverages; Smoking: No alcoholic beverages may be possessed or consumed within the city owned building facilities, except for private functions as approved by the city council. In accordance with the Utah clean indoor air act, Utah Code Annotated section 26-38-1 et seq., smoking is prohibited within all areas of the city hall building facilities.
- B. Authority Of City Manager: The city manager may promulgate adopt and enforce appropriate regulations, forms, policies and practices, not inconsistent with the provisions of this chapter, pertaining to:
1. The rental and usage of the city hall facility, including the rental fees for such usage building facilities, except that the rental fees will be as adopted by the city council;
 2. The When the payment of a security or cleanup deposit is required, except that the amount of the deposit will be as adopted by the city council;
 3. The conditions upon which the security or cleanup deposit (or a portion) will be returned;

4. The procedures for reservations of the facility;
5. Whether and under what conditions refreshments may be served and consumed; and
6. Other reasonable issues pertaining to the use of the public resource. (2001 Code § 2-9-101; §3-5-2 amd. Ord. 15-____, 01-28-2015)

3-5-3 3-5-5: CONDITIONS FOR DENIAL:

Notwithstanding any provision of this section to the contrary, the city manager ~~shall~~ will not be required to ~~rent city-owned~~ allow reservation of city building facilities to any person, group or organization, when:

- A. In the reasonable opinion of the city manager or designee, such person, group or organization would damage or misuse city property;
- ~~B.~~ In the reasonable opinion of the city manager or designee, and/or the proposed usage of the facilities would be disruptive of or burdensome upon ongoing city activities;
- ~~B.C~~ The proposed activity is of a recurring (regular) will recur at a frequency, such that the organization holding the activity is similar to other organizations which that own or rent other facilities within the community, and that the rental of the city owned property building facility is for the economic advantage of the organization or the use of the facility by the organization will not further a public, civic or community wide purpose;
- ~~CD.~~ The proposed activity will be held on a Sunday. The use of the facility by the organization will not further a public, civic or community wide purpose; or
- ~~E.~~ Within the previous three years, the person or entity requesting or using the reservation had a portion or all of a deposit withheld for a past reservation or permit for use of any city building, park or recreational facility; or
- ~~DE.~~ The proposed activity will require the unreasonable relocation or repositioning of the fixtures, furniture or other facilities elements of the building facility. (2001 Code § 2-9-101; §3-5-3 amd. Ord. 15-____, 01-28-2015)

3-5-4: FEE SCHEDULE REVIEWED, APPROVED:

~~The fee schedule promulgated by the city manager under this chapter shall be reviewed and approved by the city council. (2001 Code § 2-9-101)~~

Chapter 13

PARKS AND RECREATION

8-13-1: DESIGNATION OF PARKS AND OTHER RECREATIONAL FACILITIES:

8-13-2: HOURS OF OPERATION AND SEASON:

8-13-3: RESERVATIONS FOR USE:

8-13-4: BANNERS AND SIGNS:

8-13-45: FEES:

8-13-56: PROHIBITED ACTIVITIES IN CITY PARKS AND RECREATIONAL FACILITIES:

8-13-67: ADMINISTRATIVE REGULATIONS:

8-13-78: SMOKING PROHIBITED IN CERTAIN AREAS OF PUBLIC PARKS:

8-13-1: DESIGNATION OF PARKS AND OTHER RECREATIONAL FACILITIES:

A. Name And Location of City Parks: For purposes of this chapter, the following are city parks:

<u>Bateman Pond</u>	<u>7140 South 1100 West</u>
<u>Beargrass Park</u>	<u>5113 West Crus Corvi Road</u>
Bicentennial Park	1890 <u>1900</u> West 7000 South
Brigadoon Park	1400 West 9300 South <u>9331 South Mac Duff (1450 West)</u>
Brown's Meadow Park	2490 West 9160 South
Camelot Park	1975 West 7230 <u>7225</u> South
Colonial Estates Park	2040 <u>2000</u> West 6890 <u>6888</u> South
Constitution Park	3200 <u>3330</u> West 7000 <u>7010</u> South
Country Squire Park	<u>3740 3756</u> West 8570 South <u>Saddler Drive (8550 South)</u>
<u>Crus Corvi Park</u>	<u>5294 West Crus Corvi Road</u>
Dixie Valley Park	3620 West 6420 <u>6449</u> South
Dora Lee Park	4480 West 8615 South <u>Bingham View Drive</u>

	<u>(8583 South)</u>
Eagle Park	5200 West 7530 South
<u>Facet Way Park</u>	<u>8140 South 5300 West</u>
Grizzly Park	7400 South Grizzly Way
Handcart Park	2850 2868 West 6620 South
Harvest Estates Park	2300 <u>2304</u> West 6855 South
Jordan Meadow Park	2290 <u>2200</u> West 7480 <u>7550</u> South
Lindsey Estates Park (Henderson)	3850 West 8000 <u>8015</u> South
<u>Lobelia Park</u>	<u>6466 South Lobelia Drive (5030 West)</u>
<u>Maples Park #1</u>	<u>7800 South 6650 West</u>
<u>Maples Park #2</u>	<u>7498 South Valley Maple Drive (6730 West)</u>
McHeather Park	1440 West 6940 <u>6935</u> South
Meadow Green Farms Park	3000 West 8400 South
Noble Heights Park	3700 <u>3774</u> West 7910 South
<u>Oaks Park East</u>	<u>8200 South Fall Oak Drive (6180 West)</u>
<u>Oaks West Park</u>	<u>8200 South 6700 West</u>
Park Village Park	4800 West 7030 South
Plum Creek Park	1500 West 8300 South <u>Stratford Lane (1470 West)</u>
<u>Pocket Park</u>	<u>2200 West 7800 South</u>
Railroad Park	4600 West New Bingham Highway
<u>Ranches Park #1 / Commons</u>	<u>5268 West Ranches Park Lane (7350 South)</u>
<u>Ranches Park #2</u>	<u>5180 West Swiftwater Way (7910 South)</u>
Ron Wood Baseball Complex Memorial Park	6000 West New Bingham Highway
<u>Ron Wood Park Phase II</u>	<u>6000 West New Bingham Highway</u>
<u>Senior Housing Park</u>	<u>2200 West Sugar Factory Road (8200 South)</u>
Shadow Mountain Park	5000 <u>5065</u> West 7360 <u>7400</u> South
<u>Siena Vista</u>	<u>5600 West 7000 South</u>

Soccer complex <u>Utah Youth Sports Complex</u>	4000 West 8000 <u>7900</u> South
Stonecreek <u>Stone Creek</u> Park	4860 West Amethyst Drive (<u>8030</u> South)
<u>Stone Creek Park Phase II</u>	<u>5196 West Amethyst Drive (8030 South)</u>
Sunset <u>Cove</u> Park	4800 <u>4810</u> West New Bingham Highway
Sycamore Ridge Park	7398 West New Sycamore Drive
Sycamore Trail Park	7208 West New Sycamore Drive
Teton Estates Park	4170 West 9380 South <u>9339 South Targee Drive (4160 West)</u>
Veterans Memorial Park	Between 1840 West and 2200 West at 8000 South <u>1985 West 7800 South</u>
Vista West Park	3730 West 9120 South <u>9098 South Winthrop Drive (3695 West)</u>
<u>West Jordan Meadows A Park</u>	<u>7530 South Bridle Creek Drive (5200 West)</u>
West Jordan Meadows B Park	5360 West 7530 South
<u>Wildflower Detention Park</u>	<u>9200 South 5200 West</u>

B. Name and Location of Other Recreational Facilities: For purposes of this chapter, the following are city recreational facilities:

<u>Arena</u>	<u>8035 South 2200 West</u>
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C. Definitions: The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

APPLICANT: The person or entity that applies for a reservation or permit to reserve a city park or recreational facility.

ARENA: The city's rodeo arena, located at the address stated in this section.

CITY EVENT: an event that:

1. is planned, organized and controlled by: (a) city personnel; (b) city contractors; (c) elected city officials; or (d) city committee members or other volunteers; and

2. is funded pursuant to a budget adopted by the city council; and

3. for purposes of liability, the city has either: (a) determined the event to fall within the purview of city insurance or other similar city coverage; or (b) required another person or entity to indemnify the city; and

4. is not a city sponsored event as defined below.

CITY SPONSORED EVENT: an event where the city's involvement is limited to lending of the city's name or financial or in-kind support.

CITY PARKS: Those facilities identified in this section and their environs, including but not limited to athletic fields, pavilions, picnic areas, concession stands, traveled ways, sidewalks, parking lots, restrooms, and tot lots.

CITY RECREATIONAL FACILITIES: Those facilities identified in this section and their environs, including but not limited to concession stands, traveled ways, sidewalks, parking lots and restrooms.

CONCESSION STAND: A permanent structure, owned by the city, where food and beverages may be sold or served. Concession stands are equipped with hot and cold running water and sinks. There are no grills or vents, except a full kitchen is available at the concession stand located within the arena. Where there is a full kitchen, a fire extinguisher is provided.

SPECIAL EVENT: Any activity for which a city building, park or recreational facility is being reserved, or a permit is being issued, and which meets at least one of the following criteria: (1) 200 or more attendees are expected; (2) additional city services are required; (3) the activity is an athletic tournament; (4) inflatable toys or similar items will be set up; or (5) a fee will be charged for admission or participation.

SPECIAL EVENT PERMIT: A permit issued pursuant to city policy for a special event.

USERS or VISITORS: Any person who is present in a city park or recreational facility, whether by reservation, permit or otherwise. (2001 Code § 58-1-101; amd. Ord. 10-26, 9-8-2010; Ord. 11-29, 9-14-2011; Ord. 15-___, 01-28-2015)

8-13-2: HOURS OF OPERATION AND SEASON:

~~All neighborhood parks shall be closed to use between the hours of ten o'clock (10:00) P.M. and one half ($\frac{1}{2}$) hour before sunrise of the next following day, unless prior written approval is obtained from the city manager. The Veterans Memorial Park shall be closed to use between the hours of eleven o'clock (11:00) P.M. and one half ($\frac{1}{2}$) hour before sunrise of the next following day; however, this restriction does not apply during city sponsored events such as the Fourth Of July celebration.~~

A. Open Season: City parks are open to the public starting the first Monday in April and are closed to the public starting the first Sunday in October until the following first Monday in April. City recreational facilities and concession stands are not open to the public and may be occupied and used only by reservation or permit.

except that the city may reserve the arena for designated periods of public access.

- B. Open Hours: Except Veterans Memorial Park, city parks are open to the public from 6:00 a.m. to 10:00 p.m. during the open season. The Veterans Memorial Park is open from 6:00 a.m. to 11:00 p.m. during the open season. City parks are closed during all other hours of the day.
- C. Other Park Closures: At the sole discretion of the city, any city park or any area within a city park may be closed during open season or hours for any reason for the convenience of the city or to provide for the public health and safety. Reasons for closures may include, but are not limited to, safety, preservation of landscaping, protection of athletic field conditions, construction or performance of maintenance or repair work.
- D. Public Use Subject to Reservations. When a city park, recreational facility, or any area therein, is reserved, it will not be open to the public during the reserved time. Any person or entity that has reserved a city park, recreational facility, or area therein may exclude the public from the reserved area and may request assistance from the city in doing so. The reserved area will be considered closed to the public during the times expressly specified in a reservation or permit approved or issued by the city manager or designee.
- E. Entry Prohibited: Exceptions: Use, occupancy or entry into city parks, recreational facilities, or any area therein during seasonal, daily or other closures or reservations is prohibited, except by a reservation or permit holder during times expressly specified in the reservation or permit. Use, occupancy or entry into city recreational facilities and concession stands is prohibited, except by reservation or permit approved or issued by the city manager or designee in accordance with city code and applicable city rules, policies and procedures. (2001 Code § 58-1-102; amd. 2009 Code; Ord. 15-____, 01-28-2015)

8-13-3: RESERVATIONS FOR USE:

- A. Permitted: Any facility in any city owned or city operated recreational facility City parks, recreational facilities, concession stands, and areas therein, may be reserved in accordance with the policies outlined in this chapter and upon the payment of the proper fee this chapter and applicable city rules, policies and procedures. Tot lots, traveled ways, sidewalks and restrooms may not be reserved. Limited space within parking lots may be reserved if expressly specified in a reservation or permit approved or issued by the city manager or designee.
- B. Reservation Procedure:—Procedure: Reservations for use of any outdoor facilities during the current calendar year may be made by a resident on or after January 5 of each year. Reservations for use of any outdoor facilities during the current calendar year may be made by a nonresident up to sixty (60) days prior to the date of the activity. Cancellation of the reservation shall entitle the person to a refund of the fee if the cancellation is effected prior to ninety (90) days before the date of the intended activity. Cancellations between eighty nine (89) days and thirty (30) days of the event entitle the applicant to a refund of fifty percent (50%) of the reservation fee; cancellations less than thirty (30) days prior to the

~~scheduled event receive a refund of only twenty five percent (25%) of the reservation fee.~~

1. General: The city manager or designee will receive, and approve or deny, reservation requests. Reservation requests must be made and paid at least twenty-four (24) hours prior and weekend reservation must be made and paid in full at least one (1) week prior to the time and date of the reservation but no more than eleven (11) months prior to the time and date of the reservation; except for special events, seasonal reservations and athletic tournaments, as set forth below. The city manager may, but is not required to, consider late reservations.

2. Other City Property: Unless listed in section 8-13-1, City owned properties such as unimproved open space, public streets, sidewalks, plazas and the city cemetery are not city parks. A reservation for use of open space or cemetery may be available through a special event permit. Use of public streets and sidewalks may require an encroachment permit pursuant to city code.

3. Special Events: Special events must be scheduled through the special event permit rules, policies and procedures prescribed and adopted by the city manager.

4. Seasonal Reservations and Athletic Tournaments:

a. Seasonal reservations may be requested for athletic fields, concession stands and the arena. Application for seasonal reservations during the current calendar year may be made on or after the first business day in January.

b. Reservations for athletic tournaments may be requested for athletic fields. Application for tournament reservations may be made on or after the first business day in October for the next calendar year.

c. Applications must comply with this chapter and applicable rules, policies and procedures. For seasonal reservations of athletic fields, compliant applications must be received by the city manager or designee no later than 5:00 p.m. on the last business day in February. For athletic tournaments, compliant applications must be received by the city manager or designee no later than 5:00 p.m. on the last business day in November. Late applications may be reviewed by the city manager. Timely applications will be reviewed and, if approved, reservations will be scheduled before late applications may be reviewed or considered. Noncompliant applications will not be approved and, if resubmitted as compliant applications, may be treated as untimely.

d. The various athletic fields will be scheduled according to applicable city rules, policies and procedures, and the applicants will be notified of the schedule not later than the last business day in March.

5. Cancellation of Reservations:

a. Except for seasonal reservations and tournaments, reservations may be cancelled at any time up to twenty-four (24) hours before the reserved

date and time. Reservation fees will be refunded at the following rates: (a) 100% refund for a cancellation that is received by the events coordinator in writing at least ninety (90) days before the reserved date and time; (b) 50% refund for a cancellation that is received by the events coordinator in writing between eighty nine (89) days and thirty (30) days before the reserved date and time; (c) 25% refund for a cancellation that is received by the events coordinator in writing less than thirty (30) days and more than twenty-four (24) hours before the reserved date and time. Reservations will not be canceled and a refund will not be available if the cancellation is not received by the city manager or designee in writing more than twenty-four (24) hours before the reserved date and time. Fees other than reservation fees are non-refundable unless otherwise expressly stated.

b. Reservations for seasonal reservations and tournaments will not be canceled and a refund will not be available.

- C. ~~Organized Athletic Leagues: Organized athletic leagues and others desiring to utilize city owned playing fields and appurtenant facilities on a recurring basis shall apply to and meet with the city manager or his designee to propose the intended athletic play. The city manager may require the athletic league or similar organization to furnish reasonable information concerning the number of league participants, the cost to each participant, the number of players on each team, the number of intended athletic events, the proposed length of season, league scheduling, whether a postseason tournament is desired, and such other factors and information as the city manager deems necessary for the efficient scheduling and usage of the city owned playing fields. On the basis of the information provided, the city manager shall allocate the various playing fields according to the criteria identified, so as to maximize the use of the playing fields for the greatest public good and the most beneficial use of the public resource. The city manager shall notify the appropriate official of each league or similar organization of the allocation not later than one month after all required paperwork is submitted. The city manager is authorized to promulgate rules and policies for the effective implementation of this section, provided such rules and policies are not inconsistent with the provisions of this section. At the beginning of each sports season, the city manager shall collect from each league or organization a cleanup fee, which shall be set forth by resolution in a fee schedule. The city manager shall return the entirety of the cleanup fee to the league or organization which furnished the fee unless, in the reasonable opinion of the city manager, the league or organization failed to keep the recreation areas clean and free from damage. If the league or organization so failed, the city manager shall retain an appropriate amount of the cleanup fee to reimburse the city for its expenses of cleanup. The city manager's decision to refund only a portion of the cleanup fee may be appealed to the city council, whose decision shall be final. Rules, Policies and Procedures: The city manager or designee is authorized to prescribe and adopt rules, policies and procedures for the effective implementation of this section, provided such rules, policies and procedures are not inconsistent with the provisions of this section. (2001 Code § 58-1-103; amd. Ord. 15-___, 01-28-2015)~~

8-13-4: BANNERS AND SIGNS:

Notwithstanding the prohibition of city code section 12-3-6, banners and signs may be displayed by a reservation or permit holder in the area, provided that the display is expressly specified in the reservation or permit and all banners and signs comply with other applicable provisions of city code. (Ord. 15-____, 01-28-2015)

8-13-45: FEES:

~~A. Rental Fees: The fees for city park and recreational facility use shall be set forth in a fee schedule, which shall be on file in the office of the city clerk recorder, with a copy to be maintained and made available to the public in the office of the finance department. The fees and schedule shall be established by resolution of the city council following a public hearing, and may be amended from time to time as necessary.~~

~~B. Deposits: The city manager shall collect from each individual or entity applying for a reservation or permit the deposit set forth in the fee schedule established by resolution of the city council. The city manager will retain an appropriate amount of the deposit for the following: (1) damaged property; (2) clean up; (3) city staff time resulting from the occupancy, including but not limited to overtime fees; (4) costs resulting from modifications to the reservation or permit; (5) applicant's failure to comply with the reservation, permit, city code or any applicable city rules, policies or procedures; or (6) any other costs associated with the occupancy actually incurred by the city but unpaid by the applicant. The city manager's decision to retain all or a portion of the cleanup fee may be appealed to the city council, whose decision shall be final. (2001 Code § 58-1-104; §8-13-4 amd. Ord. 15-____, 01-28-2015)~~

8-13-56: PROHIBITED ACTIVITIES IN CITY PARKS AND RECREATIONAL FACILITIES:

~~A. Horses are prohibited in all parks except the Veterans Memorial Park, where they are allowed in the rodeo arena and the immediately adjacent parking area and while being transported, led or ridden over the paved streets leading to the arena. At no time will horses be allowed on any grass area of a park.~~

~~B. No other animals, including dogs, cats, cattle, swine, sheep or fowl of any kind, shall be permitted in any city park, except that a dog on a leash is permitted, provided the owner or person in control of such animal shall be responsible to retrieve and properly dispose of fecal excrement from the dog. It is unlawful for any person in control of such dog to fail to retrieve and properly dispose of such matter. The city manager may allow animals within a city park, provided the animals are in the park for a bona fide pet or animal show expressly authorized by him.~~

~~C. It is unlawful to cut, break, injure, deface or disturb any trees, shrubs, plants, buildings, monuments, fences, benches, tables or other structures, apparatus, fixtures or property; or pluck, pull up, cut, take or remove any shrub, bush, plant or flower; or mark or write upon any structure or apparatus.~~

~~D. It is unlawful to cut, remove, injure or destroy any wood, turf, grass, soil, rock, sand or gravel.~~

- ~~E. It is unlawful to distribute any handbills or circulars, or to post, place or erect any bills, notices, papers or advertising devices; except that the city manager may authorize advertisements on outfield fences and may authorize the Western Stampede celebration committee to place advertisements on the inside of the rodeo grounds fence. These advertisements, when authorized, will be removed within seven (7) days of the completion of league play or completion of the Independence Day celebration.~~
- ~~F. It is unlawful to camp or lodge, except with prior approval of the city manager.~~
- ~~G. It is unlawful to make or kindle a fire, except for cooking meals in grills designed for that purpose.~~
- ~~H. It is unlawful to ride, lead or drive any animal or vehicle other than on roads, drives or parking areas provided for such purposes, except for authorized maintenance, service or emergency vehicles.~~
- ~~I. It is unlawful to engage in fighting or riotous, boisterous, threatening or indecent language under such circumstances which shall tend to result in a breach of the peace.~~
- ~~J. It is unlawful to play or bet at or against any game which is played, conducted, dealt or carried on with cards, dice, wheel or other mechanical or electrical device for money, chips, credit, merchandise or any other thing representative of value, nor shall any person bet or take bets on any sporting event; however this section shall not be deemed to prohibit otherwise lawful amusement activities played during the carnival held in the Veterans Memorial Park for the Independence Day celebration.~~
- ~~K. It is unlawful to possess or consume beer or any alcoholic beverages except in connection with a special event which is the subject of a single event permit granted under subsection 4-2A-2B4 of this code.~~
- ~~L. It is unlawful to operate any gas powered model aircraft, either line or radio controlled, except in the Veterans Memorial Park on the westernmost ball diamonds, and then only when there is no interference, disruption or annoyance to other users of the park.~~
- ~~M. It is unlawful to play golf or hit golf balls.~~
- ~~N. It is unlawful to leave or deposit any rubbish except in containers designated for the purpose.~~
- ~~O. Except as expressly allowed under state law, it is unlawful to possess or use a dangerous weapon in a city park. "Dangerous weapon" means: 1) any item capable of causing death or serious bodily injury or 2) a facsimile or representation of the item, if the actor's use or apparent intended use of the item is to assault, inflict pain on or injure another.~~

- P. It is unlawful to discharge any type of fireworks in any city park, except as permitted pursuant to the provisions of title 6, chapter 2 of this code.
- A. Advertising. It is unlawful to distribute any handbills or circulars, or to post, place or erect any bills, notices, papers or advertising devices; except that the city manager may authorize advertisements on outfield fences and may authorize the Western Stampede celebration committee to place advertisements on the inside of the rodeo grounds fence. These advertisements, when authorized, will be removed within seven (7) days of the completion of league play or completion of the Independence Day celebration.
- B. Alcohol Use. It is unlawful for any person to consume or possess any beer or any alcoholic beverage within any city park or recreational facility, except a special event which is the subject of a single event permit granted under this code.
- C. Animals. Except as otherwise permitted by the city code, animals are prohibited in city parks. Animals may be expressly permitted in a city park or recreational facility pursuant to an approved special event permit.
- D. Barbecue Grills. Barbecue grills are permitted in city parks, except cooking is prohibited under any pavilion or structure. A fire extinguisher must be kept within five feet of any grill. Digging of barbecue pits is prohibited in city parks and recreational facilities. Users and Visitors shall comply with grilling rules, regulations and policies of the city and all other regulatory agencies.
- E. Business Activities; City Manager Approval. Practicing, conducting, or soliciting any occupation, business or profession, or selling any merchandise, is prohibited in city parks and recreational facilities, including but not limited to: yard sales, rummage sales and sidewalk vending. Activities may be permitted in writing by the city manager, or as part of a special event permit issued by the City, or through a concessions permit, or as otherwise allowed by city code.
- F. Camping. It is unlawful to camp or lodge in city parks, recreational facilities, plazas, open space or on any other city property unless expressly permitted in a special event permit.
- G. Destruction of City Landscaping and Property. It is unlawful to cut, break, injure, deface or disturb any trees, shrubs, plants, buildings, monuments, fences, benches, tables or other structures, apparatus, fixtures or property; or pluck, pull up, cut, take or remove any shrub, bush, plant or flower; or mark or write upon any structure or apparatus. It is unlawful to cut, remove, injure or destroy any wood, turf, grass, soil, rock, sand or gravel.
- H. Disturbance. It is unlawful to engage in fighting or riotous, boisterous, threatening or indecent language under circumstances that may result in a breach of the peace.
- I. Dogs.

1. Dogs are prohibited in city parks and recreational facilities unless accompanied by a person. The dog must be licensed and leashed. It is unlawful for any person in control of such dog to fail to retrieve and properly dispose of fecal matter.

2. A reservation or permit may restrict or prohibit dogs.

J. Fires. Fires are prohibited on city property, except where designated.

K. Firearms and Fireworks. Possessing or discharging firearms or any other explosives is prohibited in city parks and recreational facilities, except as allowed by State law.

L. Fireworks. It is unlawful to discharge any type of fireworks in any city park, except as permitted pursuant to the provisions of this code.

M. Gambling. Gambling is prohibited in city parks and recreational facilities.

N. Golf. It is unlawful to play golf or hit golf balls in city parks and recreational facilities or upon city property.

O. Horses. Horses are prohibited on city property, except that horses are permitted in the arena and the immediately adjacent parking area and while being transported, led or ridden over the paved streets leading to the arena. It is unlawful for any person in control of such horse to fail to retrieve and properly dispose of fecal matter. Horses are prohibited on all grass areas.

P. Inflatables. Inflatable toys are prohibited in city parks and recreational facilities unless specifically authorized by an approved special event permit. Additional deposits will be required as required by the fee schedule adopted by resolution of the city council.

Q. Irrigation of Turf. Adjusting or shutting off any irrigation control or valve(s) on city property is prohibited, except by authorized city employees and contractors.

R. Littering, Dumping Refuse. All litter must be disposed of in designated and marked city receptacles or removed from city parks and recreational facilities. Dumping of refuse on city property or in any city trash receptacle is prohibited except refuse generated from lawful, authorized use of the city property.

S. Model Planes and Rockets. It is unlawful to operate any gas powered model aircraft, either line or radio controlled, except in the Veterans Memorial Park on the westernmost ball diamonds, and then only when there is no interference, disruption or annoyance to other users of the park.

T. Noise. All users and visitors shall obey Salt Lake Valley Health Department noise regulations.

- U. Relocating or Removing Structure, Object, Soil. Relocation or removal of structures, objects, soil or other items within city parks and recreational facilities is prohibited without express written approval from the city. This includes, but is not limited to, tables, chairs, trash cans, warning devices, playground equipment and sand.
- V. Swimming. Swimming in fountains or other water features located on city property is prohibited, except water features specifically designated for such use.
- W. Vehicles. No vehicles other than City vehicles are allowed in city parks and recreational facilities except in designated traveled ways and parking lots, unless expressly allowed, in writing, in a special event permit. For the safety of all visitors, drivers are required to obey all posted speed limits and other signs. Vehicles may be permitted in the arena as specifically set forth in a special event permit.
- X. Water. Use of city water is prohibited except for normal use of restrooms, existing drinking fountains, and running water provided for use in conjunction with operation of reserved concession stands. Visitors shall not hook up to irrigation or culinary water in city property. The city may from time to time use non-potable water for irrigation, which water is not intended for human consumption.
- Y. Weapons. Except as expressly allowed under state law, it is unlawful to possess or use a dangerous weapon in a city park. "Dangerous weapon" means: 1) any item capable of causing death or serious bodily injury or 2) a facsimile or representation of the item, if the actor's use or apparent intended use of the item is to assault, inflict pain on or injure another. (2001 Code § 58-1-105; amd. 2009 Code; Ord. 10-15, 6-9-2010; Ord. 10-13, 7-14-2010; §8-13-5 Ord. 15-____, 01-28-2015)

8-13-67: ADMINISTRATIVE REGULATIONS:

The city manager or his designee is authorized to prescribe and promulgate adopt such necessary regulations and forms, consistent with the provision of this chapter, for the proper administration of this chapter. (2001 Code § 58-1-106; §8-13-6 Ord. 15-____, 01-28-2015)

8-13-78: SMOKING PROHIBITED IN CERTAIN AREAS OF PUBLIC PARKS:

It is unlawful for any person to smoke while sitting or standing on the bleachers of the rodeo arena in the Veterans Memorial Park, in any other bleachers or publicly owned seating in any other park, or within thirty feet (30') of such bleachers or publicly owned seating. (2001 Code § 58-1-107; amd. 2009 Code; §8-13-7 Ord. 15-____, 01-28-2015)